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10 and Travelers Casualty and Surety Company
of America

11
12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA, for the Use
15 and Benefit of GALLAGHER-KAISER
Corp.,

16
17 Plaintiff,

18 vs.

19 ARCHER WESTERN CONTRACTORS,
LTD. a/k/a ARCHER WESTERN
20 CONTRACTORS, LLC; TRAVELERS
CASUALTY AND SURETY COMPANY OF
21 AMERICA,

22 Defendants.

23
24 ARCHER WESTERN CONTRACTORS, LTD.
a/k/a ARCHER WESTERN CONTRACTORS,
25 LLC,

26 Counterclaim-claimants

27 vs.
28

CASE NO. 2:15-CV-02150—RFB-PAL

**STIPULATION AND ORDER LIMITING
DISCOVERY UNTIL APRIL 30, 2016**

1 UNITED STATES OF AMERICA, for the Use
and Benefit of GALLAGHER-KAISER CORP.,

2 and

3 ARCH INSURANCE COMPANY, d/b/a ARCH
4 INSURANCE GROUP, INC.,

5 Counterclaim-defendants.
6

7 On December 4, 2015, Defendants, Archer Western Contractors, LLC, formerly Archer
8 Western Contractors, Ltd. ("Archer Western"), and Travelers Casualty and Surety Company of
9 America ("Travelers") (collectively, "Defendants"), by counsel, filed a Motion to Stay this Matter
10 and subsequent to briefs in opposition and in reply, a hearing was held by the Court on January 19,
11 2016, at 2:00 P.M. At the hearing, the Parties hereto reached an agreement on the matters presented
12 in the Motion to Stay and, the Parties HEREBY STIPULATE AND AGREE as follows:
13

14 1. Until April 30, 2016, the Parties shall limit their activities in this matter to discovery
15 pursuant to Rules 33, 34 and 36 on matters germane to whether specific claims or portions of
16 claims asserted in this litigation by the Plaintiff are claims which are or may be governed by
17 Section 11.3 of the subcontract agreement executed on or about April 27, 2011.

18 2. By participating in the limited discovery as set forth in Paragraph (1), neither party
19 shall be deemed to have waived any rights, privileges, or defenses as to whether the claims or
20 portions of claims subject to the limited discovery are governed by Section 11.3 of the subcontract
21 agreement.
22

23 3. Except for the limited discovery set forth in Paragraph (1), Rule 26 shall govern all
24 discovery with the requirements of paragraphs (a) and (f) being deferred until after April 30, 2016.

25 4. On or before 14 days prior to April 30, 2016, the Parties shall report to the Court on
26 the status of their discovery and their efforts to reach a joint agreement on Plaintiff's claims that are
27 not governed by Section 11.3 and thus are the proper subject of this litigation.
28

1 UNITED STATES OF AMERICA, for the Use and Benefit of
2 GALLAGHER-KAISER Corp., vs. ARCHER WESTERN CONTRACTORS,
3 LTD. a/k/a ARCHER WESTERN CONTRACTORS, LLC
4 U.S. District of Nevada Court Case No. 2:15-CV-02150—RFB-PAL
5 STIPULATION AND ORDER LIMITING
6 DISCOVERY UNTIL APRIL 30, 2016

7 DATED this 26th day of January, 2016.

8 PEEL BRIMLEY LLP

9 THE FAUX LAW GROUP

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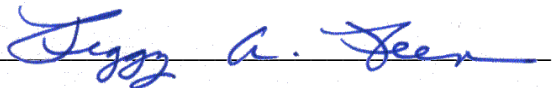
KRAFTSON CAUDLE

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1 *UNITED STATES OF AMERICA, for the Use and Benefit of*
2 *GALLAGHER-KAISER Corp., vs. ARCHER WESTERN CONTRACTORS,*
3 *LTD. a/k/a ARCHER WESTERN CONTRACTORS, LLC*
4 U.S. District of Nevada Court Case No. 2:15-CV-02150—RFB-PAL
5 STIPULATION AND ORDER LIMITING
6 DISCOVERY UNTIL APRIL 30, 2016
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8

9 **ORDER**

10 IT IS HEREBY ORDERED.
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13 United States District Court Magistrate Judge

14 Dated: January 27, 2016
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